



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF MISSION
SUPPORT

Rebekah Wiseman
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Tucker, Georgia 30084

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Freedom of Information Act (FOIA) Request EPA-2023-001405 – Interim Release

Dear Ms. Wiseman:

Thank you for your Freedom of Information Act request. This letter concerns the above-referenced Freedom of Information Act (FOIA) request, received by the U.S. Environmental Protection Agency (EPA) Freedom of Information Office on December 20, 2022. In your FOIA request, you asked for a recent winning proposal for an Indefinite Delivery/Indefinite Quantity contract. On January 13, 2023, after communicating with Kirk Marusak of my staff, you sent an email message to Mr. Marusak. You agreed to accept the winning proposals for Contract 68HERH19D0019 (Mabbett & Associates, Inc.), Contract 68HERH19D0020 (SC&A, Inc.), and Contract 68HERH19D0021 (Toeroek Associates, Inc.).

The Office of Mission Support and the Office of Acquisition Solutions have reviewed your request and is providing a partial release. Please note that this is an interim response, and the EPA continues to work on your request. The records EPA is releasing include portions of the winning proposals identified above.

The following responsive documents are being provided to you under FOIA Request EPA-2023-001405:

- 1) Winning Technical and Business Proposals (Contract 68HERH19D0019) – Mabbett & Associates

Information being provided

- Cover letters
- Title pages
- Tables of Contents
- Information about past performance government contracts

- Signed solicitation including amendments
- Representations and Certifications

Withheld information

- The contractor's proposed approach to process the proposed requirements identified in the Request for Proposal (RFP)
- Personal phone extension numbers
- Personal email addresses
- Subcontractor names, contracts, and information
- Taxpayer Identification Number (TIN)

2) Winning Technical and Business Proposals (Contract 68HERH19D0020) – SC&A, Inc.

Information being provided

- Cover letters
- Tables of Contents
- Information about past performance government contracts
- Title pages
- Signed solicitation
- Representations and Certifications
- Personal telephone extension numbers

Withheld information

- Personal phone and extension numbers
- Personal email addresses
- The contractor's proposed approach to process the proposed requirements identified in the Request for Proposal (RFP)
- Subcontractor names, contracts, and information
- Taxpayer Identification Number (TIN)

3) Winning Technical and Business Proposals (Contract 68HERH19D0021) – Toeroek Associates, Inc.

Information being provided

- Title pages
- Information about past performance government contracts
- Signed solicitation including amendments
- Representations and Certifications

Withheld information

- Table of Contents
- The contractor's proposed approach to process the proposed requirements identified in the Request for Proposal (RFP)
- Subcontractor names, contracts, and information
- Personal phone numbers
- Personal email addresses
- Taxpayer Identification Number (TIN)

This letter concludes our response to your request. Pursuant to 40 C.F.R. § 2.204(d)(1), your request is being partially denied because further inquiry by EPA is required before a final determination can be made. We will consult with the third party in connection with their business confidentiality claims covering these records and the EPA's Office of General Counsel will issue a final confidentiality determination. Therefore, you do not need to appeal the withholding of information under Exemption 4. Once the legal office issues a final confidentiality determination, EPA will notify you whether the information qualifies for confidential treatment or may be released.

Disclosure of the ratings given to Mabbett & Associates under past contracts are denied pursuant to Title 5 U.S. Code Section 552 (b) (5). This information constitutes internal Agency pre-decisional records that are part of the deliberative process for contract award and, therefore, are considered exempt from disclosure.

The total cost to process your request is \$0.00.

These responsive documents can be accessed through FOIAonline.

Again, your request is not being closed at this time. When your request is closed, you will receive information concerning your appeal rights for any part of EPA's response. If you have any questions about this interim production or your request generally, please contact Kirk Marusak at Marusak.Kirk@epa.gov or by phone at (202) 564-4493. Additionally, you may seek assistance from EPA's FOIA Public Liaison at hq.foia@epa.gov or call (202) 566-1667. Last, you may also seek assistance from the Office of Government Information Services (OGIS). You may contact OGIS in any of the following ways: by mail, Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001; email: ogis@nara.gov; telephone: (202) 741-5770 or (877) 684-6448; or fax: (202) 741-5769.

Sincerely,

Raoul D. Scott, Jr.
 Director
 Policy, Training, and Oversight Division

